Senate Study Bill 3162 - Introduced

SEN	ATE FILE
ВУ	(PROPOSED COMMITTEE ON
	APPROPRIATIONS BILL BY
	CHAIRPERSON KRAAYENBRINK)

A BILL FOR

- 1 An Act relating to state and local finances by making
- 2 appropriations, providing for legal and regulatory
- 3 responsibilities, providing for other properly related
- 4 matters, and including effective date and retroactive
- 5 applicability provisions.
- 6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1	DIVISION I
2	STANDING APPROPRIATIONS AND RELATED MATTERS
3	Section 1. LIMITATIONS OF STANDING APPROPRIATIONS - FY
4	2022-2023. Notwithstanding the standing appropriation in the
5	following designated section for the fiscal year beginning July
6	1, 2022, and ending June 30, 2023, the amount appropriated from
7	the general fund of the state pursuant to that section for the
8	following designated purpose shall not exceed the following
9	amount:
10	For payment of claims for nonpublic school pupil
11	transportation under section 285.2:
12	\$ 8,997,091
13	If total approved claims for reimbursement for nonpublic
14	school pupil transportation exceed the amount appropriated in
15	accordance with this section, the department of education shall
16	prorate the amount of each approved claim.
17	Sec. 2. INSTRUCTIONAL SUPPORT STATE AID — FY 2022-2023. In
18	lieu of the appropriation provided in section 257.20,
19	subsection 2, the appropriation for the fiscal year
20	beginning July 1, 2022, and ending June 30, 2023, for paying
21	instructional support state aid under section 257.20 for the
22	fiscal year is zero.
23	Sec. 3. SPECIAL FUNDS — SALARY ADJUSTMENTS —
24	UNAPPROPRIATED MONEYS — FY 2022-2023. For the fiscal year
25	beginning July 1, 2022, and ending June 30, 2023, salary
26	adjustments otherwise provided may be funded as determined
27	by the department of management, subject to any applicable
28	constitutional limitation, using unappropriated moneys
29	remaining in the department of commerce revolving fund, the
30	gaming enforcement revolving fund, the gaming regulatory
31	revolving fund, the primary road fund, the road use tax
32	fund, the fish and game protection fund, and the Iowa public
33	employees' retirement fund, and in other departmental
34	revolving, trust, or special funds for which the general
35	assembly has not made an operating budget appropriation.

- 1 Sec. 4. Section 257.35, Code 2022, is amended by adding the 2 following new subsection:
- 3 NEW SUBSECTION. 16A. Notwithstanding subsection 1, and in
- 4 addition to the reduction applicable pursuant to subsection
- 5 2, the state aid for area education agencies and the portion
- 6 of the combined district cost calculated for these agencies
- 7 for the fiscal year beginning July 1, 2022, and ending June
- 8 30, 2023, shall be reduced by the department of management by
- 9 seventeen million dollars. At least two million dollars of the
- 10 reduction shall occur in the area of professional development.
- 11 The reduction for each area education agency shall be prorated
- 12 based on the reduction that the agency received in the fiscal
- 13 year beginning July 1, 2003.
- 14 DIVISION II
- 15 CORRECTIVE PROVISIONS
- 16 Sec. 5. Section 45.1, subsection 7, paragraph a, Code 2022,
- 17 as amended by 2022 Iowa Acts, House File 2466, section 3, is
- 18 amended to read as follows:
- 19 a. For a supervisor district with a population of greater
- 20 than fifteen thousand but fewer no more than fifty thousand
- 21 according to the most recent federal decennial census,
- 22 nomination petitions shall include at least fifty signatures.
- 23 Sec. 6. Section 80E.2, subsection 2, Code 2022, as amended
- 24 by 2022 Iowa Acts, House File 2367, section 2, is amended to
- 25 read as follows:
- 26 2. The prosecuting attorney, certified alcohol and drug
- 27 counselor, certified substance abuse prevention specialist,
- 28 substance use disorder treatment program director, member
- 29 representing the Iowa peace officers association, member
- 30 representing the Iowa state police association, the
- 31 member representing the Iowa state sheriffs' and deputies'
- 32 association, and the member representing the Iowa police chiefs
- 33 association who is a police chief shall be appointed by the
- 34 governor, subject to senate confirmation, for four-year terms
- 35 beginning and ending as provided in section 69.19. A vacancy

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- 1 on the council shall be filled for the unexpired term in the
- 2 same manner as the original appointment was made.
- 3 Sec. 7. Section 124.204, subsection 2, paragraph cl, as
- 4 enacted by 2022 Iowa Acts, House File 2201, section 1, is
- 5 amended to read as follows:
- 6 c1. N-(1-phenethylpiperidin-4-yl)
- 7 -N-phenylcyclopentanecarboxamide. Other name: cyclopentanyl
- 8 cyclopentyl fentanyl.
- 9 Sec. 8. Section 147.77, subsection 1, paragraph 1, if
- 10 enacted by 2022 Iowa Acts, House File 803, section 51, is
- 11 amended to read as follows:
- 12 1. The department of public safety, with respect to rules
- 13 relating to permits to carry weapons, that a person who is
- 14 an unlawful user of or addicted to any controlled substance
- 15 includes any person who is a current user of a controlled
- 16 substance in a manner other than as prescribed by a licensed
- 17 physician.
- 18 Sec. 9. Section 147.77, subsection 1, paragraph p,
- 19 subparagraph (3), if enacted by 2022 Iowa Acts, House File 803,
- 20 section 51, is amended to read as follows:
- 21 (3) For applications for a license to practice asbestos
- 22 removal, that except as noted in rule, only worker and
- 23 contractor/supervisor license applicants must submit a the
- 24 respiratory protection and physician's certification forms.
- Sec. 10. Section 249A.42A, subsection 2, if enacted by 2022
- 26 Iowa Acts, House File 736, section 1, is amended to read as
- 27 follows:
- 28 2. The provider documented the eligibility verification
- 29 performed and any necessary prior authorization obtained
- 30 pursuant to paragraph "a" subsection 1 in a manner and format
- 31 established by the department by rule, and retained the
- 32 required documentation in the recipient's file.
- 33 Sec. 11. Section 261.116, subsection 7, Code 2022, as
- 34 amended by 2022 Iowa Acts, Senate File 2383, section 16, if
- 35 enacted, is amended to read as follows:

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- 1 6. Health care award fund. A health care award fund is
- 2 created for deposit of moneys appropriated to or received by
- 3 the commission for use under the program. Notwithstanding
- 4 section 8.33, moneys deposited in the health care award
- 5 fund shall not revert to any fund of the state at the
- 6 end of any fiscal year but shall remain in the award fund
- 7 and be continuously available for use under the program.
- 8 Notwithstanding section 12C.7, subsection 2, interest or
- 9 earnings on moneys deposited in the health care award fund
- 10 shall be credited to the fund.
- 11 Sec. 12. Section 441.1, subsection 3, paragraph d, as
- 12 enacted by 2022 Iowa Acts, Senate File 384, section 1, is
- 13 amended to read as follows:
- d. The provisions of chapter 28E are applicable to this
- 15 section subsection.
- 16 Sec. 13. Section 600.5, subsection 9A, if enacted by 2022
- 17 Iowa Acts, House File 2252, section 6, is amended to read as
- 18 follows:
- 19 9A. If the parents of the person to be adopted had their
- 20 parental rights terminated pursuant to chapter 232, the
- 21 petition shall included include the names of any known siblings
- 22 placed separately from the person to be adopted and either the
- 23 plan for ongoing contact between the siblings if a court found
- 24 that continued contact is in the best interest of each sibling
- 25 or a statement that the court found continued contact between
- 26 the siblings is not in the best interest of each sibling.
- 27 Sec. 14. 2022 Iowa Acts, House File 2200, section 3, is
- 28 amended to read as follows:
- 29 SEC. 3. APPLICABILITY. This Act applies to direct health
- 30 care agreements that are fully executed on or after the
- 31 effective date of enactment this Act.
- 32 Sec. 15. 2022 Iowa Acts, House File 2201, section 7, is
- 33 amended by striking the section and inserting in lieu thereof
- 34 the following:
- 35 SEC. 7. Section 124.206, subsection 2, paragraph a,

- 1 unnumbered paragraph 1, Code 2022, is amended by striking
- 2 the unnumbered paragraph and inserting in lieu thereof the
- 3 following:
- 4 Opium and opiate, and any salt, compound, derivative,
- 5 or preparation of opium or opiate excluding apomorphine,
- 6 thebaine-derived butorphanol, dextrorphan, nalbuphine,
- 7 naldemedine, nalmefene, naloxegol, naloxone, 6beta-naltrexol,
- 8 naltrexone, and samidorphan, and their respective salts, but
- 9 including the following:
- 10 Sec. 16. 2022 Iowa Acts, Senate File 2295, section 184, is
- 11 amended by striking the section and inserting in lieu thereof
- 12 the following:
- 13 SEC. 184. 2020 Iowa Acts, chapter 1064, sections 17 and
- 14 18, are amended by striking the sections and inserting in lieu
- 15 thereof the following:
- 16 SEC. 17. Section 422.12D, subsection 2, Code 2022, is
- 17 amended to read as follows:
- 18 2. The director of revenue shall draft the income tax form
- 19 to allow the designation of contributions to the veterans trust
- 20 fund and to the volunteer fire fighter preparedness fund as
- 21 one checkoff on the tax return. The department of revenue,
- 22 on or before January 31, shall transfer one-half of the total
- 23 amount designated on the tax return forms due in the preceding
- 24 calendar year to the veterans trust fund and the remaining
- 25 one-half to the volunteer fire fighter preparedness fund.
- 26 However, before a checkoff pursuant to this section shall be
- 27 permitted, all liabilities on the books of the department of
- 28 administrative services and accounts identified as owing under
- 29 section 8A.504 421.65 shall be satisfied.
- 30 SEC. 18. Section 422.12L, subsection 2, Code 2022, is
- 31 amended to read as follows:
- 32 2. The director of revenue shall draft the income tax form
- 33 to allow the designation of contributions to the foundation
- 34 fund on the tax return. The department, on or before January
- 35 31, shall transfer the total amount designated on the tax

- 1 form due in the preceding year to the foundation fund.
- 2 However, before a checkoff pursuant to this section shall be
- 3 permitted, all liabilities on the books of the department of
- 4 administrative services and accounts identified as owing under
- 5 section 8A.504 421.65 shall be satisfied.
- 6 Sec. 17. CONTINGENT REPEAL. 2022 Iowa Acts, House File
- 7 2581, section 13, if enacted, is repealed if 2022 Iowa Acts,
- 8 House File 2128, section 15, is enacted.
- 9 Sec. 18. CODE EDITOR DIRECTIVES.
- 10 l. If Senate File 496 is enacted during the 2022 session
- 11 of the Eighty-ninth General Assembly, the Code editor is
- 12 directed to transfer the Code sections as enacted by that Act
- 13 as follows:
- 14 a. Section 94.1 to section 94B.1.
- 15 b. Section 94.2 to section 94B.2.
- 16 2. The Code editor is directed to renumber section 331.301,
- 17 subsection 18, as enacted by 2022 Iowa Acts, House File 728, to
- 18 become section 331.301, subsection 21.
- 19 3. The Code editor shall correct internal references in the
- 20 Code and in any enacted legislation as necessary due to the
- 21 enactment of this section.
- 22 Sec. 19. EFFECTIVE DATE. The following, being deemed of
- 23 immediate importance, take effect upon enactment:
- 24 l. The section of this division of this Act amending section
- 25 124.204, subsection 2, paragraph "cl".
- 26 2. The section of this division of this Act amending 2022
- 27 Iowa Acts, House File 2200, section 3.
- 28 3. The section of this division of this Act amending 2022
- 29 Iowa Acts, House File 2201, section 7.
- 30 Sec. 20. RETROACTIVE APPLICABILITY. The following apply
- 31 retroactively to May 2, 2022:
- 32 1. The section of this division of this Act amending section
- 33 124.204, subsection 2, paragraph "cl".
- 34 2. The section of this division of this Act amending 2022
- 35 Iowa Acts, House File 2201, section 7.

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- 1 Sec. 21. RETROACTIVE APPLICABILITY. The section of this
- 2 division of this Act amending 2022 Iowa Acts, House File 2200,
- 3 section 3, applies retroactively to May 12, 2022.
- 4 EXPLANATION
- 5 The inclusion of this explanation does not constitute agreement with 6 the explanation's substance by the members of the general assembly.
- 7 This bill relates to state and local finances by
- 8 making appropriations, providing for legal and regulatory
- 9 responsibilities, and providing for other properly related
- 10 matters.
- 11 STANDING APPROPRIATIONS AND RELATED MATTERS. The bill
- 12 limits standing appropriations for payment of claims for
- 13 nonpublic school pupil transportation, instructional support
- 14 state aid, and state aid for area education agencies. The bill
- 15 authorizes salary adjustments to be funded as determined by the
- 16 department of management from unappropriated moneys in certain
- 17 special funds.
- 18 CORRECTIVE PROVISIONS. The bill makes technical corrections
- 19 to legislation enacted or considered during the 2022
- 20 legislative session. Certain provisions in this division of
- 21 the bill take effect upon enactment and apply retroactively to
- 22 the effective date of the amended legislation.